

**ENTERED**

February 18, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

VALERIE PREVOST,	§	CIVIL ACTION NO
Plaintiff,	§	4:23-cv-04115
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
CITY OF HOUSTON,	§	
Defendant.	§	

**ORDER ADOPTING  
MEMORANDUM AND RECOMMENDATION**

Plaintiff, proceeding *pro se* and *in forma pauperis*, filed a complaint against Defendant City of Houston on October 19, 2023. Dkt 1. The matter was referred for pretrial management to Magistrate Judge Christina A. Bryan. Dkt 4.

Pending is a Memorandum and Recommendation by Judge Bryan dated December 6, 2024, recommending that the motion to dismiss by Plaintiff, by entry of judgment in her favor as a sanction for discovery violations, be denied. Dkt 69. Also pending are objections to the Memorandum and Recommendation filed by Plaintiff. Dkts 71 & 72.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d

1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

Upon *de novo* review and determination, Plaintiff's objections lack merit. The Memorandum and Recommendation clearly details the pertinent facts and correctly applies controlling law.

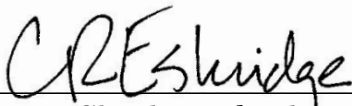
The objections by Plaintiff to the Memorandum and Recommendation of the Magistrate Judge are overruled. Dkts 71 & 72.

No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 69.

The motion to dismiss by Plaintiff is DENIED. Dkt 64.  
SO ORDERED.

Signed on February 18, 2025, at Houston, Texas.

  
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Hon. Charles Eskridge  
United States District Judge